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IN THE UNITED STATES PATENT AND TRADE-MARKS OFFICE

In Re the application of:

Inventor: SMITH, Robert K.  
Application No: 09/809,307  
Filing Date: March 16, 2001  
Title: FREE FLOATING SUB-FLOOR PANEL  
Our Ref: T8464854US  
Group Art Unit: 3635

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PETITION TO MAKE SPECIAL

To: The Commissioner of Patents and Trade-Marks  
Washington, DC 20231  
U.S.A.

Date: February 18, 2002

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Dear Sir/Madam:

Applicant hereby requests advancement of the examination of the above application pursuant to 37 CFR 1.102. Please deduct the applicable fee of \$130.00 pursuant to 37 CFR 1.17(h) from our deposit account number 07-1750.

The reason for Applicant's request is that Applicant was recently at a trade show in the United States wherein a competitor was offering for sale a device which is within the scope of claims being applied for in the above application.

A rigid comparison of the alleged infringing device with the claims of the application has been made, and in the opinion of Applicant's undersigned agent, some of the claims are unquestionably infringed.

Applicant has, through its agent, caused to be made a careful and thorough search of the prior art and such art has been submitted in the present case by way of Information Disclosure Statement.

A search was carried out on a corresponding case filed pursuant to the Patent Cooperation Treaty and the art located by the PCT search has also been submitted by way of an Information Disclosure Statement. Since filing of the latter Information Disclosure Statement, Applicant has had cause to have two of the references translated from German into English and those translations are included herewith for any assistance they may offer the Examiner.

Applicant respectfully submits that the above satisfies the requirements for a Petition to Make Special and Applicant looks forward to confirmation that the above case will be advanced out of turn for examination.

Respectfully submitted,



Peter Milne, Registration No. 34,534

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